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OFFICE OF THE ATTORNEY GENERAL



CHARLES A. GRADDICK
ATTORNEY GENERAL
STATE OF ALABAMA

ADMINISTRATIVE BUILDING
64 NORTH UNION STREET
MONTGOMERY, ALABAMA 36130

JAMES R. SOLOMON, JR.
DEPUTY ATTORNEY GENERAL
WILLIAM M. BEKURS, JR.
EXECUTIVE ASSISTANT
WALTER S. TURNER
CHIEF ASSISTANT ATTORNEY GENERAL
JANIE NOBLES
ADMINISTRATIVE ASSISTANT

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(205) 832-5640
HERBERT I. BURSON, JR.
B. FRANK LOEB
RON BOWDEN
JOHN J. BRECKENRIDGE
WILLIAM L. THOMPSON
ASSISTANT ATTORNEYS GENERAL
REVENUE DEPARTMENT

Honorable George Allen Desmond
Bibb County Probate Judge
Room 15, Community Activity Building
103 Davidson Drive
Centreville, AL 35042

Licenses - Motor Vehicles - Fees

The fifty dollar additional fee required to obtain a personalized motor vehicle license tag must be paid each year.

Dear Judge Desmond:

Your letter requesting an opinion has been received by the Attorney General. Basically your request for an opinion is as follows:

The question has arisen as to whether the fifty dollar fee for a personalized auto tag is to be collected each year upon renewal of the auto tag or whether this is simply an initial charge.

The Personalized License Tag Law is codified at Section 32-6-150, et seq., Code of Alabama 1975. Section 32-6-153 provides:

No two owners will be issued identical tags or plates for the same year. An owner who has procured special personalized prestige tags or plates shall be entitled to have a tag or plate issued for succeeding years bearing the same inscription provided he applies therefor within the time prescribed by the commissioner of revenue and pays the fee prescribed in Section 32-6-150. However, should the holder of a personalized tag or plate fail within the prescribed time to apply for renewal thereof, then a tag or plate of such design may in subsequent years be issued to any other person applying therefore.
(Emphasis added.)

Section 32-6-153 reveals that no two owners can be issued the identical license plate for the same year. Section 32-6-153 also provides that it would be necessary for the owner of a distinctive license plate to apply within the time prescribed by the Commissioner of Revenue for authorization to have the same plate issued for a succeeding year. Section 32-6-153 also specified that should the owner of a personalized plate fail within the prescribed time to apply for a renewal thereof, then a plate for such design might in subsequent years be issued to any other person applying therefor. Section 32-6-153 specifically provides that when the owner of a distinctive license plate applies for renewal of a plate the owner must again pay the fee prescribed.

Furthermore, Section 32-6-156 specifically provides: "The proceeds of any fees collected under this division are hereby appropriated for each fiscal year to the Board of Corrections and may be used to pay salaries and other expenses of the Board; . . ."

Finally, Section 32-6-150 provides:

Owners of motor vehicles who are residents of Alabama, upon application to the probate judge or commissioner of licenses complying with the state motor vehicle laws relating to registration and licensing of motor vehicles in payment of the regular license fees for tags or plates as provided by law for private passenger or pleasure motor vehicles, and the payment of an additional fee of \$50.00, shall be issued license tags or plates upon which, in lieu of the numbers prescribed by law, shall be inscribed such special letters, numbers or other marks, emblems, symbols or badges of distinction or personal prestige or combination thereof as are approved for and assigned to the applicant by the State Department of Revenue.
(Emphasis supplied).

From the underlined portion of the above-quoted statute, it is clear that a person desiring to obtain a personalized license plate must pay the regular license fee as provided by law and an additional fee of fifty dollars. Section 32-6-56 provides that the regular motor vehicle license fees shall be paid annually on a staggered basis. Therefore, it is my opinion that in order for a person to be issued a personalized license tag that person must annually pay the regular license fee for the tag, plus an additional fee of fifty dollars. Also it is clear that in order for the person to retain the individual personalized motor vehicle license tag, Section 32-6-153 requires that the prescribed fee be paid when the personalized tag is renewed.

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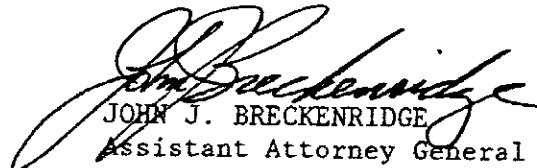
I hope I have fully answered the question contained in your letter, and if I can be of any further service to you in this matter, please do not hesitate to contact me.

Sincerely,

CHARLES A. GRADDICK

Attorney General

By-



JOHN J. BRECKENRIDGE
Assistant Attorney General

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